

**DETERMINATION AND FINDINGS  
FOR A  
SOLE SOURCE PROCUREMENT**

**CONTRACT NO:** DCKA-2017-T-0058

**CAPTION:** Southeast Boulevard Environmental Assessment

**PROPOSED CONTRACTOR:** Kimley-Horn

**PROGRAM AGENCY:** District Department of Transportation (DDOT)

**AUTHORITY**

D.C. Code § 2-354.04, 27 DCMR 1304, 1700 and 1701

**FINDINGS**

**1. MINIMUM NEED:**

The Government of the District of Columbia, Department of Transportation (“District”) has an immediate continuing need for Environmental Services to complete the Southeast Boulevard Environmental Assessment (EA). The project is a federal-aid highway project funded in part by the U.S. Department of Transportation, Federal Highway Administration, under Title 23 of the U.S. Code. The proposed period of performance is Date of Award through 12 months from the date of award.

**2. ESTIMATED FAIR AND REASONABLE PRICE:**

The estimated fair and reasonable price is \$199,900.

**3. FACTS JUSTIFYING SOLE SOURCE PROCUREMENT:**

(a) The Contractor commenced work on the EA as the result of a Task Order awarded from the Contractor’s Architectural and Engineering Services (“A/E”) contract with the District. The original task was issued to assist the District Department of Transportation with environmental and multimodal planning as well as the development of a preferred alternative to improve mobility in the Southeast Boulevard and Barney Circle area in accordance with the National Environmental Policy Act (NEPA).

(b) In May 2018 the District submitted a draft EA’s to the Federal Highway Administration (FHWA) for review and comment. After receiving comments, a second draft EA was submitted to FHWA on October 19, 2018. In March 2019, FHWA provided the District additional comments to the second draft EA submission.

(c) The District is responding to the latest FHWA comments and preparing a third draft for submission to FHWA. In addition, finalizing the EA process will require coordination with various stakeholders, a NEPA public hearing and issuance of a NEPA decision document. The volume of FHWA comments requiring multiple draft EA submissions was not anticipated in the original task.

(d) Having responded to the FHWA comments and preparing multiple drafts, the Contractor is the only one with the effective knowledge and data to complete the required EA which is necessary to proceed with Southeast Boulevard and Barney Circle project.

(e) . For the above-stated reasons, the District did not conduct a market survey.

**CERTIFICATION BY AGENCY DIRECTOR**

I hereby certify that the above findings are correct and complete to the best of my knowledge and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jeffrey Marootian  
Director, DDOT

**CERTIFICATION BY CONTRACTOR OFFICER AND RECOMMENDATION**

I reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-354.04) and that no response was received. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Steven H. Wishod  
Contracting Officer, OCP

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code §§ 2-354.04 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
George A. Schutter, III  
Chief Procurement Officer